

~~AMENDED~~

NO. 61924

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office FEB 27 1996

Returned to applicant for correction APR 12 1996

Corrected application filed MAY 29 1996

Map filed JUN 11 1996

The applicant **William L. & Dianne L. Wagers**, hereby makes application for permission to change the **Point of Diversion of a Portion** of water heretofore appropriated under **Permit No. 38319, Certificate No. 12217**

1. The source of water is **Underground Sources**
2. The amount of water to be changed **0.165 cfs., 16.0275 acre feet**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **in the SW¼ NE¼ of Section 23, T.16N., R.63E., M.D.B.&M., whence the Northeast Corner of said Section 23, bears N.47°36'16"E., 2,813.10 feet distant.**
6. The existing permitted point of diversion is located within **the SW¼ NE¼ of Section 23, T.16N., R.63E., M.D.B.&M., whence the Northeast Corner of said Section 23, bears N.40°34'54"E., 2,655.70 feet distant.**
7. Proposed place of use
8. Existing place of use **a portion of the N½ SW¼ NE¼ of Section 23, T.16N., R.63E., M.D.B.&M. known as Lot 8 of the Pearce Subdivision, 5.53 acres.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **A drilled and cased well, with a sprinkler system.**
12. Estimated cost of works **\$15,000.00**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks:

By **s/Richard W. Forman**
Richard W. Forman Agent
P. O. Box 150
Ely, NV 89301

Compared jk/cl cl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 38319 Certificate 12217 is issued subject to the terms and conditions imposed in said Permit 38319 Certificate 12217 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the "Stipulation" filed in the Seventh Judicial District Court of the State of Nevada in and for the County of White Pine and filed in the office of the State Engineer, Case No. 11932, dated 28th day of May, 1983.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.165 cubic feet per second, but not to exceed 16.0275 acre-feet annually, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 31, 1999

Proof of completion of work shall be filed before:

April 30, 1999

Application of water to beneficial use shall be filed on or before:

March 31, 2002

Proof of the application of water to beneficial use shall be filed on or before:

April 30, 2002

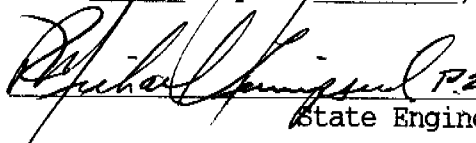
Map in support of proof of beneficial use shall be filed on or before:

April 30, 2002

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 31st day of March, A.D. 1997


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____